

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TALECRIS BIOTHERAPEUTICS, INC., AND )  
BAYER HEALTHCARE LLC, )

Plaintiffs, )

v. )

C.A. NO. 05-349-GMS

BAXTER INTERNATIONAL INC., AND )  
BAXTER HEALTHCARE CORPORATION, )

Jury Trial Demanded

Defendants. )

BAXTER HEALTHCARE CORPORATION, )

Counterclaimant, )

v. )

TALECRIS BIOTHERAPEUTICS, INC., and )  
BAYER HEALTHCARE LLC, )

Counterdefendants. )

**[PROPOSED] ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2007, upon consideration of Baxter's Motion *in Limine* No. 2 to Prohibit Any Evidence or Argument Referring to Baxter's Prior Arguments on Claim Construction and Summary Judgment, and Plaintiffs' Opposition thereto, it is hereby ORDERED that Baxter's Motion *in Limine* No. 2 is DENIED as MOOT.

IT IS SO ORDERED.

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Gregory M. Sleet, United States District Judge